

Order dated 27.3.2003

On being mentioned this matter has been taken up for final disposal.

Heard Shri N.R.Routray, Advocate for the applicants and Shri C.R. Mishra, Advocate for the Respondents/Railways.

Three applicants, who came over to regular establishment of the Railways w.e.f. 30.5.86, 24.9.94 and 30.5.86 respectively, in this Original Application have prayed to antedate their regularisation w.e.f. 1.4.1973 by virtue of instructions issued by the Railways on 26.4.1989. The Advocate for the applicants placed before us the Circular/letter dated 13.8.2001 (issued from the Office of the C.P.O./GRC), the contents of which are as under :

"Sub: Regularisation of services of Railway employees w.e.f. 1.4.1973 against P.C.R. Post :

Of late the Railway Administration has been facing a huge number of Court Cases arising out of prayer for seeking the benefit of regularisation of services of Railway employees who were on the roll of Construction Unit and who had completed three years of continuous service. They are mainly aggrieved by the fact that many junior employees have got the same benefit by virtue of the verdict delivered by the Hon'ble CAT/CAL in earlier cases.

As desired by C.P.O., a Committee comprising Dy. CPO(HQ)/GRC & Sr.DPO/RGP has been constituted which will go through the pending court cases of similarly situated and circumstanced in nature and indicate suitable course of action.

You are therefore, requested to locate/ identify such cases and inform the said

Committee for appropriate action accordingly".

By placing the aforesaid circular of S.E.Railways, the Advocate for the applicant(s) prayed for a direction to Respondents to consider his/their grievance by the Committee set up to decide the issue as raised in the present Original Application.

In the aforesaid premises, without entering into the merits of the case, we dispose of this O.A. with a direction to Respondents to place the grievance of the applicant(s) before the Committee constituted for the purpose and the said Committee should consider the case of the applicant under the relevant rules and instructions on the subject, at the earliest despatch.

This O.A. is accordingly disposed of. No costs.

  
VICE-CHAIRMAN 19/3

  
MEMBER (JUDICIAL)